IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 1067 of 2002()

CRA.260/2000 of V ADDL.SESSIONS COURT, ERNAKULAM
CC.399/1997 of JUDL.MAGISTRATE OF FIRST CLASS, KOLENCHERRY

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REVN. PETITIONER: APPELLANT/ACCUSED:

K.V. KURIACHAN, KUZHIVELIPPADATHU HOUSE,
KADAYIRUPPU P.O.

BY ADV. SRI.K.A.JALEEL
SRI.N.K.POULOSEKUTTY

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE:

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1. ALEX K. IYPE, PROPRIETOR,
SAMARIAS TEXTILE DEALERS,
KOLENCHERY.

2. STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA.

BY ADV. SRI.M.S.MANIKANDAN
SRI.V.J.KURIAKOSE
PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 18/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.1067 of 2007

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Dated: 18-12-2007

ORDER

The accused in C.C. No.399 of 1997on th**e file** of the J.F.C.M-Kolencherry for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 13210 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. A sum of Rs. 15,000/- (Rupees fifteen thousand only) deposited before the trial court pursuant to the interim order passed by this court shall be refunded to the first respondent/complainant.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.

V. RAMKUMAR, J.

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Crl.R.P. No.1067 of 2007

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Dated: 18-12-2007

ORDER